

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

REC'D 22 MAR 2005
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(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 209546-82305	FOR FURTHER ACTION See Form PCT/PEA/416	
International application No. PCT/US2004/012877	International filing date (day/month/year) 27.04.2004	Priority date (day/month/year) 30.05.2003
International Patent Classification (IPC) or national classification and IPC B60R7/10		
Applicant INTIER AUTOMOTIVE INC. et al.		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of 3 sheets, as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input checked="" type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application 		
Date of submission of the demand 19.10.2004	Date of completion of this report 16.03.2005	
Name and mailing address of the International preliminary examining authority:  European Patent Office - Gitschner Str. 103 D-10958 Berlin Tel. +49 30 25901 - 0 Fax: +49 30 25901 - 840	Authorized Officer Busuiocescu, B Telephone No. +49 30 25901-530	



**INTERNATIONAL PRELIMINARY REPORT
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International application No.
PCT/US2004/012877

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-5 as originally filed

Claims, Numbers

1-9 as originally filed

Drawings, Sheets

1/1 as originally filed

- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

- The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):
- This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages 1
 - the claims, Nos. 1-8
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2,4-7
	No: Claims	1,3,8,9
Inventive step (IS)	Yes: Claims	
	No: Claims	1-9
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

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Re Item V.

1 The following document is referred to in this communication:

D1 : GB 1 052 859 A (ANDRE GILLET) 30 December 1966 (1966-12-30)

2 **INDEPENDENT CLAIMS 1 AND 8**

2.1 The subject-matter of claims 1 and 8 are not new in the sense of Article 33(2) PCT, and therefore the criteria of Article 33(1) PCT are not met.

2.1.1 The document D1 discloses (the references in parentheses applying to this document):

A garment hook assembly comprising: a hook portion (4,5); and a base portion (11) pivotally mounted to an inner panel (2) of a vehicle (page 1, line 57 to 63); wherein the garment hook assembly is automatically deployed when the inner panel (2) is moved from a raised position to a lowered position.

2.1.2 The document D1 discloses also:

A garment hook assembly comprising: a hook (20) pivotally mounted to a surface (2); a base (2), wherein the base acts as a cover over the hook (4,5), wherein said hook (4,5) is automatically deployed when the surface (2) is moved from a first position to a second position.

3. **DEPENDENT CLAIMS 2-7 AND 9**

3.1 Dependent claims 2-7 and 9 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, the reasons being as follows:

3.1.1 The feature of claim 2 "..., wherein the inner panel is a liftgate assembly of

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the vehicle" is merely one of several straightforward possibilities for the mounting of the garment hook assembly within a vehicle from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill.

3.1.2 Claims 3 and 8 are obvious as a garment hook should be capable of holding a garment.

3.1.3 The subject-matter of claims 4-7 consists in the selection of known materials for the hook and base portion of the hook assembly. Such a selection can only be regarded as inventive, if the selection presents unexpected effects or properties. However, no such effects or properties are indicated in the application. Hence, no inventive step is present in the subject-matter of claims 4 -7.

Re Item VIII.

4 The application does not meet the requirements of Article 6 PCT, because claims 1 and 8 are not clear.

4.1 The term "automatically deployed" used in claims 1 and 8 does not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined. The claims attempt to define the subject-matter in terms of the result to be achieved, without providing the technical features necessary for achieving this result. An unambiguous disclosure that the automatical deployment occurs due to gravity is missing.

4.2 The syntax and the wording of claim 1 "...garment hook assembly is ... deployed when the inner panel is moved from a raised position to a lowered position" is unclear, Article 6 PCT.
The relative terms "raised" and "lowered" leave the reader in doubt as to their reference positions, thereby rendering the definition of the subject-matter of said claim unclear.
Furthermore the description discloses the movement of the hook from a raised to a lowered position when the liftgate is raised.
Claim 1 is unclear because according to its syntax it is to be understood that the deployment of the hook occurs when the inner panel is lowered.

Oct-18-04 03:03pm From-Konigman, Miller, Schwartz , Cohn

248 566 8311

T-848 P.013/018 F-984

SUPER SEDED**GARMENT HOOK ASSEMBLY****Technical Field**

[0001] The present invention relates to an interior accessory for a vehicle and in particular to a garment hook mounted on a door or liftgate of a vehicle.

Background

[0002] Typically, vehicles are provided with relatively small hooks placed on either side of the headliner of the vehicle behind the front seat for receiving clothes hangers. Such hooks project from the upholstery of the headliner of the vehicle and may be unsightly. The protruding hooks may also present a safety hazard in the form of a projection against which a person may bump their head either while entering or exiting the vehicle, or in the event of an accident. Moreover, when the hooks are used, the clothes restrict the visibility of the rear windows. Furthermore, the hooks are relatively small, inaccessible, and cannot accommodate more than a few hangers.

Summary of the Invention

[0003] The inventor of the present invention has recognized these and other problems associated with garment hooks. To this end, the inventor has developed a closure panel for a vehicle, the closure panel selected from the group consisting of a door assembly and a liftgate assembly. The closure panel is capable of movement between an open position and a closed position. A garment hook assembly is mounted to an inner panel of the closure panel.

Brief Description of the Drawings

[0004] The present invention will now be described, by way of example, with reference to the accompanying drawings, in which:

[0005] Figure 1 is a perspective view of the garment hook assembly in its lowered and raised position.

[0006] Figure 2 is a perspective view of the garment hook assembly in its lowered position within a sports utility vehicle.

Oct-19-04 03:03pm From-Hanigman, Miller, Schwartz , Cohn

248 566 8311

T-848 P.014/018 F-984

SUPERSEDED**Claims**

What is claimed is:

1. A closure panel assembly for a vehicle (12), comprising:
a closure panel (20) selected from the group consisting of a door assembly and a liftgate assembly capable of movement between an open position and a closed position, and
a garment hook assembly (10) mounted to the closure panel (20).
2. A closure panel according to Claim 1, wherein said garment hook assembly (10) is pivotally mounted to an inner panel (14) for movement between a first position and a second position.
3. A closure panel according to Claim 2, wherein said closure panel (20) comprises the liftgate of the vehicle, and wherein movement of the liftgate from said closed position to said open position causes said garment hook assembly (10) to move from said first position to said second position.
4. A closure panel according to Claim 3, wherein said garment hook assembly (10) is automatically moved from said first position to said second position.
5. A closure panel according to Claim 2, wherein said garment hook assembly (10) comprises a hook portion (24) and a base portion (26).
6. A closure panel according to Claim 5, wherein said hook portion (24) is capable of retaining garments when said garment hook assembly (10) is positioned in either said first position or said second position.

SUPERSEDED

7. A closure panel according to Claim 6, wherein said inner panel (14) includes a recess (18), and wherein at least a portion of said hook portion (24) is received in said recess (18) when said garment hook assembly (10) is in said first position, and wherein said hook portion (24) extends outwardly from said recess (18) when said garment hook assembly (10) is in said second position.
8. A closure panel according to Claim 1, wherein movement of said closure panel (20) from the closed position to the open position moves said garment hook assembly (10) from an interior of the vehicle (12) to an exterior of the vehicle (12), respectively.